THE INVENTOR'S MANUAL.

A CIRCULAR OF PRACTICAL INFORMATION

CONCERNING

PATENTS, TRADE-MARKS, LABELS AND COPYRIGHTS.

BY

ERNEST C. WEBB,

COUNSELLOR-AT-LAW IN PATENT CAUSES.

PUBLISHED BY

WEBB'S PATENT AGENCY,

Solicitors of American and Foreign Patents,

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(SECOND EDITION.)

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22 CLIFF STREET, NEW YORK CITY.

ERNEST C. WEBB,
HERBERT SOUTHWICK.

ARTHUR C. WEBB.

INTRODUCTORY TO FIRST EDITION.

It has been aptly said that "necessity is the mother of invention." Assuming this to be true, the system of Patent Laws, by which the product of invention is protected, and its exclusive use guaranteed for a specified time to the original discoverer, may well be considered in the light of a guardian to the otherwise helpless offspring of necessity.

For centuries the inventor was compelled to work in secrecy and seclusion. Every new machine, every new process in manufacture, met with the strongest opposition, alike from the master workmen and their journeymen and apprentices, and in many cases from the Government of the country in which the new invention first saw the light. The first class, the employers, opposed it, from the fear that its introduction might lessen their profits; the second, the workingmen, from a belief that its application might result in a reduction of wages and a corresponding dimunition in the number of hands employed; and the Government officials threw every obstacle in the way, lest the successful working of the new process should diminish the receipts from the taxation imposed upon manufacturers, or for the reason that dangerous dissensions might be created, and thus, the stability of the State be endangered. There existed also, the feeling against what are termed "Monoplies," of which we have had so many illustrations in recent

times, and these causes working together, engendered their natural results, and made it a matter of the utmost difficulty for any inventor to reap the proper reward for the outcome of his skill and labor. Happily, we live in better times. All civilized nations now seek to encourage and protect the inventor of any new and useful machine or process, and he may, at moderate cost, so secure himself against all others, that he is almost certain to receive ample compensation.

Among no other people has the inventive genius been so widely manifested as among the citizens of the United States, and it is, therefore, peculiarly fitting that our Patent Laws should be, as they are, based on broad and liberal principles, securing to the inventor absolute protection against those who would surreptitiously avail themselves of the fruits of his original conceptions, wrought out, perhaps, by long and weary toil and research, while at the same time the cost of such an invaluable safeguard is placed within the means of all. It has ever been the policy of our Government to encourage invention, and the result of this policy may be seen in the long array of grand discoveries in art, science and mechanics, which have conferred honor upon the American name.

It is probable that no field of human labor offers such certain and adequate reward as that of the invention of new and useful machines, processes, or methods of manufacture. The list of American inventors, who have won fame and fortune from the successful working of patented inventions, would fill pages. The names of McCormack, Howe, Morse, Colt, Goodyear, Winans, Whitney, Hotchkiss, Edison, and many others, will at

once occur to the reader, and they are but types of a large class. It is not always, however, inventions of apparently the first importance which prove the most profitable. The merest trifles sometimes produce almost fabulous sums, and it is in such cases that the protection afforded by a patent is the most quickly felt.

While the method of obtaining a patent under the United States Patent Laws is extremely simple, the services of a skilled attorney will, in nearly every case be found of incalculable advantage. In many instances the inventor will be saved much useless labor and research by confiding his interests to some rep table solicitor, and the ultimate procurement of the patent sought greatly expedited.

NEW YORK, February, 1882.

ERNEST C. WEBB.

SPECIAL NOTICE.

In publishing the second edition of "The Inventor's Manual," we desire particularly to call the attention of our friends to the very important reductions in the cost of obtaining patents *through our agency*, in Great Britain, France, Germany, Belgium and other foreign countries (see page 26), which our superior facilities for obtaining patents abroad enable us to make. We also invite your examination of our special department, referred to on page 22.

NEW YORK, February, 1883.

WEBB'S PATENT AGENCY.

THE INVENTOR'S MANUAL.

THE POLICY OF PATENT LAWS.

THE true policy of patent laws is to awaken and stimulate the spirit of invention, by holding forth to the inventive mind an inducement to work. If an inventor could receive no benefit from the creation of his brain, fewer inventions would be made. Take away the opportunity to make money by the production of something new and useful, and you take away the incentive to invent—and it therefore follows, as a logical sequence, that the intellectual products of the inventor must be fostered and protected. Our excellent patent system has been a very potent factor in developing our manufacturing interests and the resources of the country, and it has been well said "If Europe does not amend its patent laws, America will speedily become the nursery of useful inventions for the world."

WHAT IS A PATENT.

A patent is in the nature of a contract between the inventor and the Government, to the effect, that if the inventor shall disclose his invention to the public by filing a description of the same in such full, clear and exact terms, that any person skilled in the art or science

to which it appertains may be able to make and use the invention so described, then the inventor or his assigns, or legal representatives shall have the exclusive right to make, use and vend the invention for the term of 17 years; and that at the expiration of this term, the right to make, use and vend the patented invention shall become common property. It will thus be seen that the true consideration for the grant of a patent is the disclosure by the inventor, of his invention or discovery, so that the same may at a certain time enure to the benefit of the whole people.

WHO MAY OBTAIN A PATENT.

Any person who has invented or discovered any new or useful art, machine, manufacture or composition of matter, or any new and useful improvement thereof, may, upon application in regular form, and upon the payment of the fees required by law, obtain a patent.

HOW TO PROTECT AN INVENTION.

When you conceive an invention, make a note of the date, and as your invention progresses, keep a careful record of each experiment. Always date your sketches and, if possible, have two or three of your friends sign their names to the sketches as witnesses. In this way you will make a record which you can always rely upon to prove the date of your invention. The importance of this is repeatedly illustrated in the Courts, where the failure of an inventor to prove the date of his invention oftentimes results in defeat.

WHAT IS PATENTABLE.

Anything that is new and useful, or any new and useful improvement on existing devices which has not been known or used by others in this country, and not patented or described in any publication in this or any foreign country before the invention or discovery.

THE APPLICATION FOR A PATENT.

1. Preliminary Examination.

Preliminary to the application for Letters Patent it is sometimes advisable to make what is usually called a "Preliminary Examination." The object of this is to ascertain if the invention forming the basis of the application has been previously patented in this country, by making a careful search through the records of the Patent Office, relating to the subject matter of the invention.

We have unexcelled facilities for making Preliminary Examinations, which we do for a small charge, including the report in each case.

2. The Application Papers.

After the preliminary questions of determining the patentability of the invention have been disposed of, the next step is to prepare the application papers consisting of the specification or description of the invention, the petition praying for the grant of the patent, the oath of invention, and a complete drawing of the device.

Great skill and care must be exercised in preparing the specification and claims, as a carelessly drawn specification, and claims not comprehending the full scope of the invention, will invariably subject the inventor or subsequent owner of the patent, to the necessity of reissuing the patent, *and oftentimes to great pecuniary loss.* (See division on Reissue patents.) Hence it is absolutely imperative for the inventor to select a careful and experienced attorney to prepare the papers upon which his patent will be founded.

3. What we Require in each Case.

In order to properly prepare the specification and drawings we require the full name and address of the inventor, or inventors, a brief accurate statement of the invention, and a sketch illustrating it.

Under the new rules of the Patent Office, models of inventions are not received except when specifically called for by the Examiner in charge of the case, but it is always better for an inventor to make a model, even if it is only a rough one, as it is in most cases of considerable assistance in preparing the application papers.

When models are sent we do not require the sketch, but only a brief statement of the working of the model. Send in addition to the above the first fee of $15 upon receipt of which the papers will be immediately prepared and returned for execution. Models furnished to us for our inspection during preparation of the application and prosecution of the case, will be returned when called for.

CAVEATS.

The object of a caveat is to protect inventors while they are experimenting to perfect or demonstrate the practicability and utility of the invention. It consists of a brief description or specification of the invention and a drawing illustrating the same (when possible). These are filed in the confidential archives of the Patent Office and preserved in secrecy, and if application is made within one year from the date they are filed by any other person for a patent conflicting with the invention disclosed by the caveator, notice is immediately sent to the caveator, and he is required to file a complete application for a patent within three months. Caveats can only be filed by citizens of the United States, or aliens who have resided in the United States for one year and have declared their intention to become citizens.

REISSUE PATENTS.

[*Extract from Sec.* 4916 *Rev. Stat.*]

Whenever any patent is inoperative or invalid, by reason of a defective or insufficient specification, or by reason of the patentee claiming as his own invention or discovery more than he had a right to claim as new, if the error has arisen by inadvertence, accident, or mistake, and without any fraudulent or deceptive intention, the Commissioner shall, on the surrender of such patent and the payment of the duty required by law, cause a new patent for the same invention, and in accordance with the corrected specification, to be issued to the patentee, or, in the case of his death or of an assignment of the whole or any undivided part of the original patent, then to his executors, administrators, or assigns, for the unexpired part of the term of the original patent.

In a majority of cases the necessity of reissuing a patent is due to the carelessness or inefficiency of the attorney who prepared the original application papers. Very often the discovery that a patent is inoperative is not made until the manufacturer of the patented article applies to counsel to institute proceedings against infringers, and it may be then too late to reissue the defective original patent, and obtain a new patent, upon correct specifications and drawings, which will stand the test of litigation. Reissues cost the applicant from $60 to $100, according to the labor involved, and no damages can be collected for infringements committed prior to the date of the Reissued Patent. Over ten thousand patents have been surrendered and Reissued Patents obtained therefor.

We make a SPECIALTY of reissuing defective patents, and will examine patents when requested, and give opinions as to the correctness of the specifications and drawings.

DESIGN PATENTS.

A design patent is granted to any person who has invented and produced any new and original design for a manufacture, bust, statue, alto-relievo or bas-relief; any new and original design for the printing of woolen, silk, cotton or other fabrics; any new and original impression, ornament, pattern, print or picture to be printed, painted, cast, or otherwise placed on or worked into any article of manufacture, or any new, useful and original shape or configuration of any article of manufacture. Design Patents are granted for periods of 3½ years,

seven years, and fourteen years, as may be specified in the application. Manufacturers and dealers in clocks, silverware, jewelry, carpets, glassware, &c., will find it largely to their advantage to thus protect their new patterns.

PUBLIC USE.

As inventors are now required to make oath, before they can obtain a patent, that their invention has not been in public use, or on sale, in this country for more than two years prior to the date of their application, it is necessary to make the application within the two years limit. This is particularly important, in view of the fact that proof of such use or sale is sufficient to invalidate what might otherwise be a valid patent.

MARKING PATENTED ARTICLES.

SEC. 4900. It shall be the duty of all patentees, and their assigns and legal representatives, and of all persons making or vending any patented article for or under them, to give sufficient notice to the public that the same is patented; either by fixing thereon the word "patented," together with the day and year the patent was granted; or when, from the character of the article, this cannot be done, by fixing to it, or to the package wherein one or more of them is inclosed, a label containing the like notice; and in any suit for infringement, by the party failing so to mark, no damages shall

be recovered by the plaintiff, except on proof that the defendant was duly notified of the infringement, and continued, after such notice, to make, use, or vend the article so patented.

PENALTY FOR FALSE MARKING.

SEC. 4901. Every person who, in any manner, marks upon anything made, used or sold by him for which he has not obtained a patent, the name or any imitation of the name of any person who has obtained a patent therefor, without the consent of such patentee, or his assigns or legal representatives; or

Who, in any manner, marks upon or affixes to any such patented article the word "patent" or "patentee," or the words "letters patent," or any word of like import, with intent to imitate or counterfeit the mark or device of the patentee, without having the license or consent of such patentee or his assigns or legal representatives; or

Who, in any manner, marks upon or affixes to any unpatented article the word "patent," or any word importing that the same is patented, for the purpose of deceiving the public, shall be liable, for every such offense, to a penalty of not less than one hundred dollars, with costs; one-half of said penalty to the person who shall sue for the same, and the other to the use of the United States, to be recovered by suit in any district court of the United States, within whose jurisdiction such offense may have been committed.

REJECTED AND ABANDONED APPLICATIONS.

Applications for Letters Patent are very often rejected by the Examiners through a misunderstanding of the invention, or from failure of the attorney in charge of the case to properly prosecute it and point out the differences existing between the invention and the references cited as anticipating it. We attend to such cases for a moderate fee, and when our services are required, we will, upon request, furnish a power of attorney, authorizing us to proceed in the matter.

Applications for patents which have been allowed are sometimes abandoned by the failure of the inventor or his attorney to pay the final Government fee within the required time. Cases of this character may be revived, and a patent for the invention secured.

TRADE-MARKS.

Any person, firm or corporation domiciled in the United States, or located in any foreign country, which by treaty, convention or law affords similar privileges to citizens of the United States, and who is entitled to the exclusive use of any trade-mark, and uses the same in commerce with foreign nations or with Indian tribes, may obtain registration of the same in the United States Patent Office.

Owners of trade-marks for which PROTECTION HAS BEEN SOUGHT BY REGISTERING THEM IN THE PATENT

OFFICE UNDER THE ACT OF JULY 8, 1870 (declared unconstitutional by the Supreme Court of the United States), may register the same for the same goods, WITHOUT FEE, on compliance with the Statutory requirements of the Act of March 3, 1881.

Registration of a trade-mark is *prima facie* evidence of owner-ship. Any person who shall *reproduce, counterfeit, copy*, or *colorably imitate any trade-mark so registered* and affix the same to merchandise of substantially the same descriptive properties as those described in the registration, *shall be liable to an action on the case for damages* for the wrongful use of said trade-mark at the suit of the owner thereof; and the party aggrieved shall also have his remedy according to the course of Equity to *enjoin the wrongful use of such trade-mark* used in foreign commerce, or commerce with Indian tribes, as aforesaid, and to *recover compensation therefor* in any Court having jurisdiction over the *person guilty of such wrongful act;* and Courts of the United States have original and appellate jurisdiction in such cases, without regard to the amount in controversy.

LABELS AND PRINTS.

The act of June 18th, 1874, provides for the registration of prints and labels in the Patent Office. The labels referred to are those commonly used on bottles, boxes, packages, &c., giving the name of the article, directions for use, quality, manufacturer, place of manufacture, &c.

As to register a TRADE-MARK the applicant must *make oath that it has been used in commerce with foreign nations or with Indian tribes*, many manufacturers and dealers cannot, on this account, protect their trade-marks by registration under the trade-mark act. Under these circumstances, however, a good and valid registration may be effected by applying such trade-marks to *labels*, and registering the labels in the Patent Office.

The certificate of registration of a label continues in force for 28 years.

APPEALS.

Every application for a patent, or a reissue of a patent, which has been twice rejected upon the same references by the Examiner in charge, is considered as being finally rejected, and in condition for appeal. Three appeals may be taken in such cases from adverse decisions, viz. : First, to the Board of Examiners in Chief ; second, to the Commissioner of Patents, who is the chief executive and judical officer of the Patent Office ; and third, to the Supreme Court of the District of Columbia. In case of an adverse decision of each of these three tribunals, proceedings may be instituted in the United States Courts, to adjudicate the rights of the applicant in the premises. Our fees for prosecuting appeals are governed by the amount of labor involved, and are subject to special agreement.

INTERFERENCES.

An interference is a proceeding instituted for the purpose of determining the question of priority of invention between two or more parties, claiming substantially the same patentable invention. This proceeding is in the nature of a trial, both parties being obliged to file statements under oath, called preliminary statements, disclosing the date of original conception of the invention ; of its illustration by drawing or model ; of its disclosure to others, and of its completion and of the extent of its use. These statements must be prepared with great care, and competent counsel should be retained, as the parties to the interference will be strictly held to the dates disclosed by their preliminary statements.

After these statements have been filed in the Patent Office, the Examiner of Interferences fixes the dates within which each party must take and close his oral proofs. The case is then, upon the conclusion of the testimony on both sides, duly argued before the Examiner of Interferences or submitted for his decision. Either party may appeal from an adverse decision to the Board of Examiners in Chief, and thereafter to the Commissioner of Patents, but no appeal can be taken in interference cases from the decision of the Commissioner of Patents. It will be seen that from the nature of these proceedings, that competent and experienced attorneys are required to properly conduct such controversies.

Our fees in these cases are necessarily the subject of special agreement corresponding to the amount of labor involved in each individual case.

EXTENSIONS OF PATENTS.

Patents can only be extended by Special Act of Congress. Our services may be secured to procure or oppose extensions.

OPINIONS.

We make SPECIAL EXAMINATIONS to determine the novelty of any invention either before or after a patent has been obtained, and furnish a written opinion relating thereto. We also examine into the title of any patent, and furnish abstracts of title thereof. Our charges in these matters are moderate, and are based upon the amount of work done.

ASSIGNMENTS, AGREEMENTS, &c.

Assignments, agreements, co-partnership articles, licenses and other papers relating to patents prepared, and recorded when necessary. Our charges in these matters are moderate, and depend upon the time given to each case.

INFRINGEMENT SUITS.

Suits for infringement of patents are brought in Federal Courts, and are in the nature of an application to the Court for an injunction to restrain the continued unlawful use of the patented invention, and for damages for such use. Infringements of trade-marks and labels may also be stopped by injunction in the same way.

Our services can be secured to prosecute or defend suits relating to patents, trade-marks, and labels at reasonable rates.

COPYRIGHTS.

Any citizen of the U. S., or resident therein, who shall be the author, inventor, designer, or proprietor of any book, map, chart, dramatic or musical composition, engraving, cut, print, or photograph or negative thereof, or of a painting, drawing, chromo, statue, statuary, and of models or designs intended to be perfected as works of the fine arts, shall, upon obtaining a copyright therefor, have the sole liberty of printing, reprinting, publishing, completing, copying, executing, finishing and vending the same; and in the case of a dramatic composition, of publicly performing or representing it, or causing it to be performed or represented by others. And authors may reserve the right to dramatize or to translate their own works.

Every applicant for a copyright must state distinctly the name and residence of the claimant, and whether right is claimed as author, designer, or proprietor. No affidavit or formal application is required.

A printed copy of the title of the book, map, chart, dramatic or musical composition, engraving, cut, print, or photograph, or a description of the painting, drawing, chromo, statue, statuary, or model or design for a work of the fine arts, for which copyright is desired, must be sent by mail or otherwise, prepaid, addressed "LIBRARIAN OF CONGRESS, WASHINGTON, D. C." This must be done before publication of the book or other article.

Within ten days after publication of each book or other article, two complete copies must be sent, prepaid, to perfect the copyright, with the address, "LIBRARIAN OF CONGRESS, WASHINGTON, D. C."

Without the deposit of copies above required the copyright is void, and a penalty of $25 is incurred.

No copyright is valid unless notice is given by inserting in every copy published.

"*Entered according to Act of Congress, in the year ——, by ———, in the office of the Librarian of Congress, at Washington,*" or at the option of the person entering the copyright, the words: "*Copyright,* 18—, *by* ———."

The law imposes a penalty of $100 upon any person who has not obtained copyright, who shall insert the notice, "*Entered according to Act of Congress,*" or "*Copyright,*" or words of the same import, in or upon any book or other article.

Each copyright secures the exclusive right for twenty-eight years. Six months before the end of that time, the author or designer, or his widow or children, may secure a renewal for the further term of fourteen years, making forty-two years in all.

Any copyright is assignable in law, but such assignment must be recorded in the office of the Librarian of Congress within sixty days from its date.

Copyrights cannot be granted upon trade-marks, nor upon labels intended to be used with any article of manufacture. If protection for such prints or labels is desired, application must be made to the Patent Office, where they can be registered.

Copyrights may be secured through this office for a moderate fee in excess of the regular Government charges.

COPIES OF PATENTS, &c.

Printed copies of the specification and drawing of any United States patent, which can be obtained from the Patent Office in this form, are furnished by us at the rate of twenty-five cents each. Copies of assignments, licenses, &c., procured for a small fee in addition to the government charge.

SPECIAL DEPARTMENT.

We have recently organized a special department for the purpose of notifying persons manufacturing under patents, *when improvements are patented.* Parties on our special department list are furnished with WEEKLY REPORTS of the patents issued each week in their line of business, together with printed copies of the specifications and drawings of such patents.

We believe this department will be of large value to any manufacturer of patented articles, as in this way he will receive *early information* of all new inventions in his line, and will be able to communicate directly with the inventors. We only charge for the copies furnished at the uniform rate of twenty-five cents each, making no charge for our services.

Parties desirous of taking advantage of this opportunity will please send us at once their

names, addresses, and the kind of goods they are making, together with one dollar, which will be placed to their credit, and applied to pay for the first four copies sent them.

Address all communications,

WEBB'S PATENT AGENCY,
22 Cliff Street, New York City.

REMITTANCES.

Always remit by check, P. O. Money Order, registered letter, or bank draft, so as to insure safe transmission.

SCHEDULE OF FEES.

FOR OBTAINING U. S. PATENTS, ENTERING COPYRIGHTS AND REGISTERING TRADE-MARKS, PRINTS AND LABELS, AND PREPARING ASSIGNMENTS, ETC., INCLUDING GOVERNMENT FEES IN EACH CASE.

Preparing and prosecuting an application for Letters Patent, for a mechanical invention in a case involving an ordinary amount of labor	$25 00
First Government fee	15 00
Second " "	20 00
Total	$60 00

Of this amount, forty dollars is payable when the pa-

pers are prepared and ready to file in the Patent Office. The second Government fee of twenty dollars, may be paid at any time within *six months* of the *date of allowance* of the application.

Preparing and prosecuting an application for Letters Patent for a design	$15 00
Government fee for design patent, for three and one-half years	10 00
Total	$25 00
Government fee for design patent, for seven years, fifteen dollars, making a total of	$30 00
Government fee for design patent, for fourteen years, thirty dollars, making a total of	$45 00
Preparing and prosecuting application for the reissue of a patent in any case involving an ordinary amount of labor	$30 00
Government fee	30 00
Total	$60 00
Procuring and entering a copyright	$5 00
Government fee	1 00
Total	$6 00
Preparing and prosecuting application for registration of a trade-mark	$15 00
Government fee	25 00
Total	$40 00

Preparing and prosecuting application for registration of a print or label in ordinary cases, including Government fee	$15 00
Preparing and recording an assignment of a patent, trade-mark, print, label or copyright	$5 00
Government fee usually	1 00
Total	$6 00
Preparing and filing an application for a caveat, usually	$12 00
Government fee	10 00
Total	$22 00

With the exception noted, all the fees in each case are *payable in advance*, that is to say, when the papers are complete and ready to file.

Our services in preparing contracts and licenses, and in prosecuting appeals, interferences and infringement suits, are always the subject of special agreement.

FOREIGN PATENTS.

American inventions are regarded with great favor in foreign countries, and the amounts received from the sale of foreign patents very often exceed the inventor's profits in this country. This is particularly true of patents for American inventions in England, Canada, Germany, France and Belgium.

We append a brief statement of the means necessary to obtain foreign Patents, together with the population and principal manufactures, and the cost of patents in the principal countries.

Since the first edition of this book was published, we have made connections abroad which enable us to materially reduce the cost of foreign patents applied for through us. (See schedule of fees, page 40.)

ARGENTINE REPUBLIC.

POPULATION 2,500,000 — PRINCIPAL MANUFACTURES, PONCHOS, ROPES, SADDLE-CLOTHS, MOROCCO, LEATHER AND WOODEN WARE.

Two kinds of patents are granted, viz: Patents of Invention and Patents of Importation. The term varies from one to ten years, and the invention must be worked within one year from the date of the grant.

Very few patents are taken out, as the cost is large and the term limited to a few years.

AUSTRALIA.

POPULATION 1,800,000 — PRINCIPAL MANUFACTURES, GLASS, PAPER, CLOTH, OIL-CLOTH, DYES, BEER, STARCH, SOAP, CIGARS, PIANOS, SAFES, AGRICULTURAL IMPLEMENTS, ENGINES, CARRIAGES, BRUSHES, LEATHER, WOOLEN CLOTHS, SUGAR, WINES, LIQUORS.

Each of the separate Australian Colonies of New South Wales, Victoria, Queensland, South and West Australia, New Zealand and Tasmania, have independent Patent Laws. Patents may be obtained in each Colony, and remain in force for a period of from seven to fourteen years. During the life of the patent, the patentee or owner of the patent has the exclusive right to make, use and sell the invention. Special information relating to patents in these Colonies, and cost thereof, will be furnished at our office.

AUSTRIA AND HUNGARY.

POPULATION 34,904,435 — PRINCIPAL MANUFACTURES, IRON, CHEMICAL PREPARATIONS, GLASSWARE, LOOKING GLASSES, HEMP AND FLAX, WOOLEN AND COTTON FABRICS, TOBACCO, JEWELRY, MUSICAL INSTRUMENTS, ETC.

Patents may be obtained by foreigners, as well as natives, and one application is sufficient for the whole Austro-Hungarian Empire.

The invention *must be worked* in Austria or Hungary within a year of the date of issue of the patent, and at some time during every two years thereafter. The term of a patent is limited to 15 years, but they are usually

taken out for one year, and renewed from year to year upon payment of a small renewal tax. Foreigners are no longer required to prove possession of a corresponding patent in some other country, and patents are now renewed, upon payment of the taxes, without requiring proof of the actual working of the invention in the Kingdom.

Patents for designs are not granted to U. S. citizens.

BELGIUM.

POPULATION 5,336,185 — PRINCIPAL MANUFACTURES, LINEN, LACES, DAMASK, WOOLENS, COTTON GOODS, HOSIERY, CARPETS, MACHINERY, FIRE-ARMS, IRON, ETC.

Any person may obtain a patent, but when the applicant is not the inventor, he had better obtain the inventor's consent to the application in writing, and keep it for his own protection.

Three kinds of patents are granted, viz.: (1.) Patents of Invention; (2.) Patents of Importation; and (3.) Patents of Improvement.

A patent of invention is granted to the inventor, provided he makes application in Belgium before applying in any other country. Patents of importation are granted to any person who has previously applied for or obtained a foreign patent. Patents of improvement are granted for modifications of any invention described in a prior Belgian patent granted to the same person. No separate annuities have to be paid on patents of improvement, and they remain in force during the life of the original patent.

Patents of invention are granted for a period of twenty years; patents of importation remain in force during the life of the foreign patent; and patents of improvements during the life of the original Belgian patent. Usually, patents are s cured for the term of one year, and thereafter renewed from year to year, upon payment of the annual tax.

DESIGN PATENTS.—Printed or woven designs for textile fabrics, and similar goods, may be patented in Belgium.

BRAZIL, BRITISH GUIANA, BRITISH INDIA, CEYLON, GREECE AND MEXICO.

Patents for mechanical inventions may be obtained, but are very rarely applied for by American inventors. Information furnished upon application to our office.

CANADA.

POPULATION 3,906,810 — PRINCIPAL MANUFACTURES, FLOUR, LUMBER, FURNITURE, HARDWARE, PAPER, CHEMICALS, SOAP, BOOTS AND SHOES, COTTON AND WOOLEN GOODS, STEAM ENGINES, AGRICULTURAL IMPLEMENTS, COARSE CLOTHS (HOMESPUN), FLANNELS, BED LINEN, BLANKETS, CARPETS AND TWEEDS, LEATHER, SADDLERY AND HARNESS, TOBACCO, MACHINERY, NAILS, GUNPOWDER, CARRIAGES, PIANOS, HATS AND CAPS, SEWING MACHINES.

Patents are only granted to the *inventor or his legal*

assigns. The full term is fifteen years, but the patent is usually taken for five years, and thereafter renewed.

When the invention can be so illustrated, a model must be filed before the patent can be obtained. When the invention relates to a composition, samples or specimens must be furnished. The model can only be 18 inches in its greatest dimensions, and when admissible, from the nature of the case, a working model is required.

The invention *must be worked* in Canada within two years from the date of the application, and thereafter arrangements must be made to keep the invention "on sale," so that any person desiring to purchase or use it, may be able to obtain the patented article, or the products thereof.

Inventions which have been patented in the United States or other countries, cannot be patented in Canada, unless the application is filed within one year from the date of the *earliest* foreign patent for the same invention. And, if during this same period, any person in Canada shall manufacture and sell the invention previously patented in any foreign country as stated, then such manufacturer shall have the right to continue such manufacture and sale *unrestricted*, but this rule does not apply to persons who shall only commence to manufacture after the application for a Canadian patent has been filed.

CAVEATS.—Caveats may be filed to protect inventions not entirely perfected. They remain in force for one year, and the proceedings and requirements are substantially the same as in the United States.

DENMARK AND ICELAND.

POPULATION 1,912,142 — PRINCIPAL MANUFACTURES, SILK, LINEN, WOOLEN AND COTTON GOODS, LEATHER, LACES, GLOVES, STRAW HATS, SAIL CLOTH, THREAD, PAPER, SOAP, GLASS, EARTHENWARE, PLATED WARE, IRON-WARE, SALTPETRE, GUNPOWDER, ARMS, REFINED SUGAR, TOBACCO, SODA, POTASH, BRANDY AND MALT LIQUORS.

Any person may obtain a patent. The term of a patent cannot exceed twenty years, and rarely exceeds *three* years.

The invention must be *worked* during each year of the life of the patent.

FRANCE.

POPULATION 36,905,788 — PRINCIPAL MANUFACTURES, SILK, JEWELRY, BRONZES, SURGICAL AND PHILOSOPHICAL INSTRUMENTS, BOOKS, LACES, CABINET FURNITURE, EMBROIDERIES, IRON, CUTLERY, HARDWARE, PORCELAIN, EARTHENWARE, WATCHES, LEATHER, WOOLENS, LINENS, COTTONS, GLASSWARE, PAPER, SUGAR, TOBACCO, WINES.

Any person may obtain a patent, but when the invention has been previously patented abroad, it is advisable to make the application in the name of the "author of the invention already patented abroad," or his legal assigns.

The full term of a patent is 15 years, but they are usually taken out for *one year*, and renewed from *year* to *year*, by payment of an annual tax of about $22.

The invention must be *worked* in France within two years of the date of issue of the patent, and during every two years thereafter. Patents of addition for improvements on any invention previously patented in France, may be obtained by the same person.

No patents are granted for medicinal preparations, patent medicines, or remedies of any kind.

DESIGN PATENTS.—Patents are granted for designs for new shapes or forms, and for patterns, printed, woven, or otherwise produced upon or in any material, such as iron, wood, glass, paper, leather, woven fabrics, etc.

GERMANY.

POPULATION 42,727,360—PRINCIPAL MANUFACTURES, WOOLENS, SILKS, PAPER, CABINET FURNITURE, TOYS, IRON AND STEEL, GOLD AND SILVERWARE, GLASSWARE, LEATHER, MATHEMATICAL AND ASTRONOMICAL INSTRUMENTS, CLOCKS, BEER, WINES, SUGAR.

Patents are granted to the first applicant, whether he is the inventor or not, provided the intention has *not been* published in printed form in *any country* before the date of the application. But it is usually safer for the applicant, if he is not the inventor, to obtain the inventor's consent in writing, before making the application, and preserve it in case his right to obtain the patent should afterwards be questioned.

The duration of the patent is 15 years, but patents are usually taken for one year and renewed by payment of an annual tax. Patents of addition are granted for

alterations or improvements in any invention previously patented in Germany.

Such patents are continued in force by the prolongation of the original patents to which they relate, and no separate annuities are required.

The law requires that the invention must be *worked* in Germany within three years from the date of the grant, but this does not mean that it must be *manufactured* in Germany, as the provisions of the Patent Act will be fully complied with if the *patented article* is placed on the market and *advertised for sale* in the Empire, although it may have been manufactured elsewhere.

Persons who deliberately manufacture or sell a patented article, without the consent of the patentee or owner of the patent, are liable to a fine of 5,000 marks (about $1,100), or to imprisonment for one year, in addition to payment of damages to the party aggrieved.

DESIGNS.—Ornamental designs may be protected by registration.

GREAT BRITAIN.

POPULATION 31,628,338—PRINCIPAL MANUFACTURES, COTTON, WOOL, SHODDY, WORSTED, FLAX, SILK, IRON, STEEL, COPPER, BRASS, AGRICULTURAL IMPLEMENTS, GLOVES, PAPER, BEER, HATS, GLASS, POTTERY, SOAP, LACE, IRON SHIPS, LINEN, WHISKEY, COMBS, STEAM ENGINES, FLANNEL, ETC.

WHO MAY OBTAIN A PATENT.—A British Patent can be obtained either by the true inventor, or by a per-

son to whom the invention has been communicated. In the first case, the applicant declares himself to be the true and first inventor, and in the second case, *that the invention is a communication.* Any person (not a resident in Great Britain) becoming acquainted with an invention, can obtain a perfectly valid British Patent therefor, by communicating it to a person residing in Great Britain (*for instance, to a Patent Solicitor in London, through a Patent Solicitor in New York*), and the *real inventor* has no remedy whatever afterwards, unless fraud can be *very clearly proved.* Hence, if an American inventor desires to obtain a British Patent for his invention, he should make the application *before his invention becomes public in this country.*

DURATION OF PATENT AND TERRITORY COVERED.—British Patents are granted for the term of fourteen years, subject to the payment of a stamp duty of £5 before the expiration of three years, and £100 before the expiration of seven years. A British Patent covers Great Britain, Ireland, the Channel Islands, and the Isle of Man.

VALIDITY OF PATENT, AS AFFECTED BY PRIOR PUBLICATION OR USE.—"A valid British Patent cannot be "obtained, if, prior to the application for the same, the "invention has become public, in Great Britain, by "means of books or otherwise; but the amount of in- "formation given by the prior publication, whatever "may be its nature, must, in order to avoid a subse- "quent patent, be equal to that required to be given in "a *specification*—that is to say, it must be enough to en- "able the public to carry the invention into practical

"use. Publication or use *in a foreign country* "does not affect the validity of a British Patent."

The printed copies of American specifications issued by the U. S. Patent Office, do not reach England until *about six months after the date of the American Patents.* The Official Gazette of the U. S. Patent Office, published weekly, and containing the *claims* of patents, and partial illustrations of the inventions referred to in such claims, reaches England in about *two weeks after its date,* but this publication rarely contains information sufficient to invalidate a British Patent granted subsequently, and before the complete specifications of the American Patent are received at the library of the English Patent Office.

WORKING.—The invention does not have to be worked within the Kingdom, and may be imported.

THE APPLICATION.—The applicant may take the patent out *at once* by paying the full cost ($225.00), or he may proceed by three or four *steps*, and thus graduate the payment of the fees. For instance, he may file, first, what is called a *provisional specification.* This protects his invention for a period of *six months*, during which time the specification is considered *confidential and* P *cept secret.* If he proceeds in this way, the proceedings would be as follows ;

1*st Step.*—Application for provisional protection (cost 75, *payable in advance*). 2*d Step.*—Notice to proceed ost $37.50, payable *within two months* of the date of pplication). 3*d Step.*—Sealing (issue of patent), (cost $62.50, payable *within three months* of the date of application). 4*th Step.*—Filing final specification (cost $50,

payable within four months of the date of application). Or, he can file a *complete* instead of a *provisional* specification, and then the proceedings would be the same as above, except that the 4th step would be omitted, and the cost of the first would be $125 instead of $75.

DESIGNS.—Useful and ornamental designs may be protected by registration. The following classes of articles of manufacture and substances to which designs may be applied, can be registered : Articles composed wholly or chiefly of metal, wood, glass, earthenware, bone, ivory, *papier-maché*, or other solid substances; paper-hangings, carpets, floor-cloths, oil-cloths, shawls, yarn, thread or warp, woven fabrics, lace and other articles.

The term of the copyright varies from one to five years.

ITALY.

POPULATION 26,801,154—PRINCIPAL MANUFACTURES, SHIP BUILDING, MUSICAL INSTRUMENTS, SILKS, EARTHENWARE, STRAW-GOODS, ARTIFICIAL FLOWERS, MACARONI, ETC.

Any person may obtain a patent, whether he is the inventor or not. The duration of the patent is limited to 15 years, and it may be secured for periods varying from one to fifteen years. If the patent is granted for a term not exceeding five years, the invention must be *worked* in Italy, within *one year* from the date of the patent. If the term exceeds five years, the invention must be *worked* within *two years*, and during every two years thereafter.

Medicines are not patentable.

Infringers are liable to a fine of about $100, and may be assessed damages, and the articles made by them in infringement of the patented invention can be confiscated.

PATENTS OF ADDITION.—Are granted at any time during the life of a patent, for modifications of an invention patented in Italy, and the annual taxes paid on the original patent keep the patent of addition in force.

DESIGNS.—Ornamental designs can be protected by registration.

NORWAY.

POPULATION 1,806,900—PRINCIPAL MANUFACTURES, LIQUORS, CLOTHS, SILKS, COTTON, LEATHER, TOBACCO, SUGAR, METALS, PAPER.

Any one can obtain a patent. The term is limited to 10 years, and is fixed by the Government in each case. The invention must be *worked* in Norway within one year from the date of the patent.

PORTUGAL.

POPULATION 4,745,024—PRINCIPAL MANUFACTURES, COTTON, WOOL, SILK, PAPER, CHEMICALS, EARTHENWARE, PORCELAIN, LACE, COPPER AND TINWARE, RIBBONS, EMBROIDERIES, HATS, SOAP, GLASS, TOBACCO.

Duration of patents limited to 15 years. Granted to

the first inventor or importer. May be first procured for 5 years, and thereafter prolonged to the full term of 15 years, by paying an additional Government fee. The invention must be *worked* at some time during the first half of the term, and the *working* must be public at certain stated times.

RUSSIA.

POPULATION 88,399,808—PRINCIPAL MANUFACTURES, WOOLEN GOODS, SILK, COTTON, LINEN, LEATHER, TALLOW, CANDLES, SOAP, SUGAR AND METALLIC WARES.

Patents are granted for *three*, *five* or *ten* years, at the option of the applicant. But the patent cannot be extended or prolonged beyond the original term. No patents are granted for inventions adapted only to Government uses.

Patents of Importation are limited in duration to the term of the prior foreign patent.

The invention must be worked within the Empire at some time during one-fourth of the term.

SWEDEN.

POPULATION 4,429,713 — PRINCIPAL MANUFACTURES ABOUT THE SAME AS NORWAY.

The term of a patent is fixed by the Government in each case, and never exceeds 15 years. The application should be made in the name of the inventor, if possible. The invention must be *worked* at some time within two years from the date of the grant.

SPAIN (*including CUBA*).

POPULATION 18,209,471—PRINCIPAL MANUFACTURES, COTTON, METALLIC WARES, SILK, WOOLEN AND LINEN GOODS, LEATHER, FIRE-ARMS, GLASSWARE, SUGAR, MOLASSES, COFFEE, WAX, TOBACCO AND SEGARS.

Patents may be obtained by any one. The term cannot exceed 20 years, but the patent may be taken out for *one* year, and extended from year to year, by paying an annual fee or tax to the Government. The invention must be worked within *two* years from the date of *issue* of the patent.

SCHEDULE OF FEES.

FOR OBTAINING LETTERS PATENT IN THE PRINCIPAL FOREIGN COUNTRIES, INCLUDING ALL GOVERNMENT FEES AND TRANSLATIONS IN EACH CASE AND THE COST OF DRAWINGS.

	Former Price.	*Reduced Price.*
Austria and Hungary,	$100 00	$ ....
Belgium and Holland,	75 00	65 00
Canada,	50 00	45 00
Denmark and Iceland,	150 00	125 00
France,	100 00	80 00
Germany,	100 00	80 00
Great Britain,	250 00	225 00
Italy,	100 00	....
Norway,	200 00	120 00
Portugal,	250 00	175 00
Russia, 3 years	300 00	250 00
Russia, 5 "	350 00	325 00
Russia, 10 "	550 00	500 00
Sweden	250 00	125 00
Spain, including Cuba	100 00	....

Information relating to patents in other foreign countries, furnished upon application by letter, or in person, at our office, and special terms made when patents for the same invention are applied for in more than one country at the same time.

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